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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,068	12/18/2001	Roy Want	42390P11690	8360

8791 7590 05/18/2004

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EXAMINER

PREVIL, DANIEL

ART UNIT	PAPER NUMBER
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2636

DATE MAILED: 05/18/2004

(0)

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/025,068

Applicant(s)

WANT ET AL.

Examiner

Daniel Previl

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-34 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to communication filed on April 23, 2004.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5, 12-14, 20-22, 27-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Berliner (US 6,731,908).

Regarding claim 1, Berliner discloses a first device (base station) which includes a first wireless communication interface (interface 101, rf transceiver 103) (col. 7, lines 22-25 and lines 57-59); and second device (remote unit 200) which includes a second wireless communication interface (inherently included in the remote unit 200) to communicate with the first wireless communication interface within a wireless communication range (fig. 2; col. 6, lines 23-43), and a range sensor (distance D or distance measurement) when a distance between the first device and the second device is within a predetermined physical range, wherein the sensing of when the first device is within the predetermined physical

range of the second device is independent of the wireless communication between the first and second wireless interfaces (fig. 2; col. 6, lines 23-43).

Regarding claim 2, Berliner discloses the first and second wireless communication interfaces communicate using a standardized communication protocol (bluetooth protocol), the second wireless communication interface (remote unit 200) communicates with a plurality of first wireless communication interfaces (rf transceiver 103, interface 101) each associated with a particular first device within the wireless communication range (fig. 1; col. 6, lines 4-9).

Regarding claim 3, Berliner discloses the range sensor (distance measurement) senses one of a plurality of first devices is within the predetermined physical range whereafter communications between the two devices are established via the first and second wireless communication interfaces (fig. 2).

Regarding claim 4, Berliner discloses the first device is a portable computer device (handheld computers, laptop computer desktop computer) (col. 7, lines 48-51) and second device is a computer access device which defines a user interface for the portable computer device (PLL) (col. 10, lines 21-46).

Regarding claim 5, Berliner discloses first and second wireless communication interfaces are communication modules which communicate using a standardized communication protocol (fig. 5).

Regarding claims 6, 15, Berliner discloses the first and second wireless communication interfaces are communication modules which communicate using Bluetooth 802.15 technology (col. 4, lines 20-30).

Regarding claim 12, Berliner discloses a second wireless communication interface (remote unit 200) communicate with one portable electronic device (base station 100) having a first wireless communication interface within a wireless communication range of the computer access device (fig. 2); a range sensor to sense when a distance between a portable electronic device and the computer access device is within a physical range, wherein the sensing of when the portable electronic device is within the physical range of the computer access device is independently of the wireless communication between the first and second wireless communication interfaces (fig. 2, col. 6, lines 4-55).

Regarding claim 13, Berliner discloses the first and second wireless communication interfaces communicate using a standardized communication protocol (bluetooth protocol), the second wireless communication interface (remote unit 100) communicates with a plurality of first wireless communication interfaces (base stations) each associated with a particular first device within the wireless communication range (fig. 1; col. 6, lines 4-9).

Regarding claim 14, Berliner discloses the range sensor senses one of a plurality of first devices is within the predetermined physical range whereafter communications between the two devices are established via the first and second wireless communication interfaces (fig. 2, col. 6, lines 4-55).

Regarding claim 20, Berliner discloses a first wireless communication interface (base station 100) to communicate with a second wireless communication interface (remote unit 200) of a computer access device within a wireless communication range of the computer access device (fig. 2; col. 6, lines 23-43); a range sensing (distance d or distance measurement) component which interacts with a range sensor (distance measurement) of the computer access device to sense when a distance between the portable electronic device and the computer access device is within a predetermined physical range, wherein the sensing of when the portable electronic device is within the predetermined physical range of the computer access device is independent of the wireless communication between the first and second wireless communication interfaces (fig. 2, col. 6, lines 4-33; col. 8, lines 31-48).

Regarding claim 21, Berliner discloses the first and second wireless communication interfaces communicate using a standardized communication protocol (bluetooth protocol), the second wireless communication interface (remote unit 200) communicates with a plurality of first wireless communication interfaces (base stations 100) each associated with a particular first device within the wireless communication range (fig. 1; col. 6, lines 4-9).

Regarding claim 22, Berliner discloses the computer access device to identify the portable electronic device (col. 7, lines 23-45).

Regarding claims 27-28, Berliner discloses a second device (remote unit 200) selecting a first device (base station 100) from a plurality of devices to

establish substantive communications (fig. 1; col. 6, lines 4-9) with the selecting including sensing, when a distance between the first device and the second device is within a predetermined physical range wherein the sensing of when the first device is within the predetermined physical range of the second device is independent of substantive communication between the first and the second devices (fig. 2; col. 6, lines 4-33; col. 8, lines 31-47).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7, 16, 23, 29, are rejected under 35 U.S.C. 103(a) as being unpatentable over Berliner et al. (US 6,731,908) in view of Hind et al. (US 2002/0174025 A1).

Regarding claims 7, 16, 23, 29, Berliner discloses all the limitations in claim 1 but fails to explicitly disclose a tag reader which communicates with a radio frequency identification tag of the first device when the RFID tag is within the predetermined physical range thereby to identify the first device.

However, hind discloses a tag reader 56 communicates with the RFID tag product of the PDA 20 through a short-range wireless communication (page 4, ref. 0041).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Hind in Berliner. Doing so would insure a better communication between the devices which is quicker and convenient for the users. Wherein users can save time and money.

5. Claims 8-11, 17-19, 24-26, 30-34, are rejected under 35 U.S.C. 103(a) as being unpatentable over Berliner in view of Keller et al. (US 2002/0054412 A1).

Regarding claims 8, 17-18, 24, 30, Berliner discloses all the limitations set forth in claim 1 but fails to explicitly disclose an optical arrangement to sense when the first device is within a predetermined angular range relative to the second device.

However, Keller discloses an optical arrangement to sense when the first device is within a predetermined angular range relative to the second device (optical signal from clients 14 (first device) spread significantly in diameter to angular spread in the transmitted light at the hub (second device)) (abstract).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Keller in Berliner. Doing so would insure a better communication between the devices

which is quicker and convenient for the users. Wherein users can save time and money.

Regarding claim 9, the above combination discloses all the limitations in claim 8 and Keller discloses angular range that defines a zone proximate to the second device within which substantive communications between the two devices are established via the first and second wireless communication interfaces (hub 14 limited in size in close proximity to one another) (abstract).

Regarding claims 10, 19, Berliner disclose distance is less than the wireless communication range , distance defining a restricted zone within the second device assumes that a user requires use of the second device (fig. 2).

Regarding claim 11, Berliner discloses PDA, laptop computer (col. 7, lines 49-51).

Regarding claim 25, Berliner discloses bluetooth technology (col. 4, lines 21-30).

Regarding claim 26, Berliner discloses PDA, laptop computer (col. 7, lines 49-51).

Regarding claim 31, Berliner discloses the first and second wireless communication interfaces communicate using a standardized communication protocol (bluetooth protocol), the second wireless communication interface (remote unit 200) communicates with a plurality of first wireless communication

interfaces (base station 100) each associated with a particular first device within the wireless communication range (fig. 2).

Regarding claim 32, Berliner discloses bluetooth technology (col. 4, lines 20-30).

Regarding claims 33-34, Berliner discloses physical range is less than the wireless communication range and the method includes, once the particular first device has been identified, establishing substantive communications between the first device and the second device by means of wireless communication interfaces (fig. 2).

Response to Arguments

6. Applicant's arguments with respect to claims 1-34 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sallam (US 6,421,232) discloses a dual FPD and thin client.

Pellaumail et al. (US 6,409,086) discloses a terminal locking system.

Muraoka et al. (US 6,462,810) discloses a surveying system.

Landt et al. (US 6,078,251) discloses an integrated multi-meter and wireless communication link.

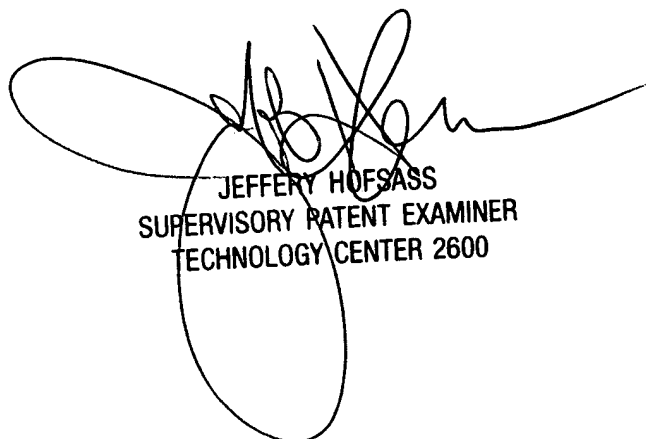
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Previl whose telephone number is 703 305-1028. The examiner can normally be reached on Monday-Thursday. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Hofsass can be reached on 703 305 4717. The fax phone numbers for the organization where this application or proceeding is assigned are 703 872-9314 for regular communications and 703 872-9315 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305-4700.

Daniel Previl
Examiner
Art Unit 2632

DP
May 11, 2004



JEFFERY HOFSSASS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600